



South Florida Water Management District

Governing Board Projects & Lands Committee MEETING MINUTES

September 10, 2008

9:00 AM

District Headquarters - Storch Room
3301 Gun Club Road
West Palm Beach, FL 33406

Members Present:

Melissa Meeker

Jerry Montgomery

Patrick Rooney

1. Call meeting to Order - Patrick Rooney, Chair

Chair Rooney called the meeting at 9:00 am.

Governing Board members Michael Collins, Shannon Estenoz, Eric Buermann, Charles Dauray and Paul Huck were in attendance at the meeting.

Mr. Huck disclosed that members of his law firm are involved in litigation with U.S. Sugar Corporation. He stated that he will be abstaining from voting on transactions related to "River of Grass" agenda items but has been advised by Counsel that he may participate in the public discussion.

2. Approval of Minutes

Approval of the minutes of the August 13, 2008, meeting held in West Palm Beach, Florida

Motion made Melissa Meeker, seconded by Jerry Montgomery to approve the Projects and Land Committee meeting minutes of August 13, 2008. Voting called. Voting yes. Patrick Rooney, Jerry Montgomery, and Melissa Meeker. Motion passed.

3. Changes to Agenda - Annette Carter, Director, Office of Governing Board and Executive Services

Annette Carter, Director, Office of Governing Board and Executive Services, read into the record the following: Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer. Based upon that authority, the Chairman has determined that good cause exists to make certain changes to the Agenda. These changes are being made in order to permit the Projects and Land Committee to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed. These changes have been listed in the Projects and Land Addendum available at the entrance to this meeting room.

5. Southern CREW Boundary Change - Larry Gerry, Director, Everglades Restoration Planning Department (ext. 3701)

Larry Gerry, Director, Everglades Restoration Planning Department, provided a status report regarding proposed boundary changes for CREW Project. Also discussed was the partnership with Lee County regarding utilization of County Conservation Funds to assist in completing CREW acquisitions.

6. Compartment B and C Pumps and Bridge Procurement - Jeff Kivett, Director, Everglades Restoration Engineering Department (ext. 4018)

Jeff Kivett, Director, Everglades Restoration Engineering Department presented an update on the Compartment B and C Pumps and Bridge Procurement.

Mr. Kivett reported on the STAs, the phosphorus loads, and design of Compartment C.

Mr. Kivett also reported on the schedule, milestones and permitting challenges for the project.

Mr. Kivett reported on the Compartment C pump procurement process and staff's recommendation.

Mr. Kivett provided information on Compartment B schedule, the key milestones and the bridge replacement.

Mr. Collins commented on hunting in Compartment B.

Mr. Merriam reported on restoring the hydrology in the area.

7. Update and Discussion of the "River of Grass" Land Acquisition - Thomas W. Olliff, Assistant Executive Director, Executive Office

Carol Wehle, Executive Director, provided a preliminary introduction of the U.S. Sugar Land Acquisition.

Ruth Clements, Director, Land Acquisition and Management, provided an aerial fly-over view of the U.S. Sugar Corporation's land.

Sheryl Wood, General Counsel, reported on the Legal Support Team being used for the U.S. Sugar land acquisition. She reported on the contracts for legal support going to the Governing Board for approval on September 11, 2008. Ms. Wood introduced the legal support team from Sidley Austen LLP.

Joe Armbrust, Sidley Austen LLP, reported on the complexity of the transaction.

Bill Sudow, Sidley Austen LLP, reported on the Sidley deliverables: asset purchase agreement, closing documents, due diligence report, and disposition of assets.

Mr. Montgomery asked about third party purchases and liabilities to the District and taxpayers.

Mr. Sudow reported on the value of the assets and the liabilities.

Ms. Clements reported on confidentiality agreements from interested parties for the purchase of the assets.

Ms. Meeker asked whether the maintenance of the assets will be addressed in the contract.

Mr. Sudow reported the objective is for U.S. Sugar to maintain the assets until closing in hopes of simultaneous third-party sales.

Mr. Buermann asked about liability of pollutants in the soil.

Mr. Sudow reported on any future exposure of pollutants in the soil.

Ms. Estenoz questioned who would be providing expertise to the Board for the asset purchases.

Mr. Sudow reported on the consultants, third-party purchasers and provisions of the negotiations.

Ms. Estenoz requested the Board receive as much disclosure information as possible.

Mr. Collins stated the Board's obligation is for the protection of the citizens of the State.

Mr. Rooney asked about the Farm Bill.

Mr. Sudow said there are Farm Bill subsidies available to producers of raw sugar.

8. Public Comment

Public Comment: Ashley Tripp, Lake Okeechobee Regional Economic Alliance of Palm Beach County, commented on economic impacts to the Glades Community and requested continued communication with the citizens.

Public Comment: Alexa Mickler, Clewiston Christian School, reported that the District's actions will impact the families and businesses in the Glades community.

Public Comment: Jonathan Hatton, Hatton family, commented on living in the Glades community and requested the Board protect Clewiston and the Glades community.

Public Comment: Captain Bob Pascale, PURRE Coalition of SW Florida, commented on water quality in Lake Okeechobee and discharges into the estuaries.

9. Adjournment

Chair Rooney adjourned the meeting at 10:55 am.

Motion made by Jerry Montgomery, seconded by Melissa Meeker to adjourn the meeting. Vote called. Voting yes. Patrick Rooney, Melissa Meeker, Jerry Montgomery. Motion passed.

Patrick Rooney
Chairman
Projects and Lands Committee

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD